

**Testimony of Leslie Oliva  
For Maria Elena Espinoza  
Whittier, California  
Betrayal: The quality of Care in California Nursing Homes  
Hearing before the United States Senate Special Committee on Aging**

Senator Grassley, Chairman of the Committee - Thank you for inviting me to testify at today's hearing and to share my family's experience with the quality of care in California nursing homes. Thank you for your patience.

Being able to share our story, so that it might help someone else, is part of my and my family's healing process.

My name is Leslie Ann Oliva. I live in Whittier, California with my family. I have been married for 18 years. I have two daughters and two sons and five grandchildren - we are a family of seven children, I am the third born child. I work full-time as a sales account executive for Aerospace Government Contracts.

My mother passed away in March of 1998 after having Huntingtons Corea Disease for approximately 13 years. She was 56 years old when she passed away. Huntingtons Corea Disease is an inherited degenerative brain disease. A disease of both mind and body. Huntingtons usually progresses over a 10 to 25 year period. Each child of an Hd-affected parent has a 50% chance of inheriting the disorder and is said to be "at risk."

The characteristics and symptoms are difficulty in swallowing, personality changes, depression, mood swings, unsteady gait, involuntary movements, slurred speech, impaired judgment, intoxicated appearance and short-term memory deficit.

As you view the pictures I have taken of my mother, you can tell she experienced beating, malnutrition, dehydration and neglect. It was an awful experience that we all suffered. I was my mother's care giver and I know how physical and emotional my mother's illness has taken a toll on my life, as well as my children's lives. I feel that I too have been a victim of my mother's illness, being the primary care giver. It was a very stressful job and sometimes I became physically unable to continue the care giving. My mother was married for 10 years to my father.

My mother raised seven children and worked full-time and attended Fullerton College. She later obtained a B.A. degree in Machinery. She was very active in sports, loved to camp in the Sequoias, and we spent a lot of time at the beach. My mother took very good care of us and I was giving back the same care to my mother when she was alive. Finally, I was told by doctors she needed to be placed in a skilled nursing facility.

In April of 1995, my mother was placed in Orangetree Convalescent Center. During the 6 ½ months while she was at Orangetree Convalescent, she started experiencing heavy bruising. The bed sores started in early July. One day while changing my mother's clothes, my mother said she had pain on her lower bottom area. When I looked at it, I was surprised to see a terrible wound. It had a foul smell and I called in a nurse. The head nurse that came in and she told me my mother had fallen off the bed and broke her pelvic bone and that small bed sore had developed. This was my first notification of this and it was not small.

I asked the nurse to give my mother juice, but she said my mother had enough for the day. The nurse did

mention to me that my mother has not eaten her dinner or lunch, so I left to go buy my mother some fast food with one quart of cranberry juice. She acted like she was dying of thirst. Usually in my visits with my mom, she had always seemed to be starving or always begging for water. Each time I gave her something, she would grab the food or water from me. She could not wait to eat or drink. I bought some cream for the bed sores. I would clean out the wound. Each time I visited my mother, she always had a dirty diaper or dirty shirt. Her bed seemed to always smell of ammonia. My mom always cried to come home. She would hang on my arm like I was her hero.

I noticed her bed sores were getting worse, so I took pictures. I asked the head nurse if the doctor had been into see her. They said my mom sees him once a month. I never knew how my mom got the bed sores. I also noticed her weight kept dropping. Most of the time during the visits, I would see my mom always in bed and her food tray was always at the foot rest, out of her reach. The staff always said my mom did not like the food. I called the ombudsmen and State Nursing. They came out to investigate my complaint. The ombudsmen did nothing. After the complaint, the head nurse came to me while I was feeding my mom and said this is no place for your mother to be. My nurses can't watch your mother all of the time and feed her, so please take your mother out and place her in another home. The next day, I called Orangetree admissions office. I told them I would be changing homes. They asked why and I said because my mom has real ugly sores on her lower bottom and she got a black eye, plus I should not have to bring extra food and juices. I told them the food is always at the end of her bed, out of reach. I noticed this with other residents. The administrator told me just because your mother will not eat, does not mean all of our patients don't eat.

As time went by, apparently, the wound got worse, the nursing home stated to me, the infection was gone - while in January 1998, my mom was admitted to River RGH for dehydration. Dr. Chang called me and asked me if my mom was on full code. I said yes. Dr. Chang said that my mom had developed a 10 x 10 wound and it would not heal. He said my mom was probably bleeding internally and she had two blood transfusions. Dr. Chang saw no signs of lung infection, but my mother was holding a fever of 103.2 for the last week. The fever maintained at 104.2 but no lower than 101.4. She stayed in ICU. Dr. Chang and Dr. Burklgnole knew she had 350cc's of blood. Also, I had been in contact with Dr. H. Kim. He said my mom kept bleeding. Dr. Kim said he was the anesthesiologist - he stated don't worry about the surgery, your mother will be fine.

In regards to the bed sores that originally occurred at Orangetree, my mother should have never had any bed sores or should have suffered like she did. My mother ended up having major surgery. The bed sores got so bad that it ate into her back tale bone. She ended up having a bone scrape surgery. She was in surgery of 4 ½ hours but the infection kept getting worse. The last nursing home did not put my mother into isolation - after being hospitalized for 2 ½ weeks, my mother was sent to Palm Terrace Nursing Home, which she lived there for almost 2 months. She then passed away.

After leaving Riverside General Hospital ("RGH"), after being treated for the injuries received at Extended Care, the social worker sent my mother to Palm Terrace in Riverside, 11162 Palm Terrace Road, Riverside, CA, tel: (909) 687-7330. She was admitted January 10, 1998 and died March 30, 1998.

While at Palm Terrace, I requested bumper pads for her. I visited her everyday after work - up until February 5<sup>th</sup>, when I was paged by a male nurse and told my mom was sent to RGH due to a low blood count and that I should not worry. I then went to RGH and found out that my mom had gotten a terrible ulcer from the bed sores. She needed immediate surgery and there were only two strong medications that would save her - I then okayed the surgery. They also asked if she could have a feeding tube, since her weight had dropped. The surgeon assured me that my mom would be fine, so I okayed that as well.

After the surgery, they sent her back to Palm Terrace, not once did she have any bruising, but they did not protect her from infection and my mom caught a germ in her ulcer and in her lower back. Marlene from Palm Terrace called me and apologized for not placing my mom in isolation - this was about the middle of February 1998. Later Marlene called me at work again and she said your mom pulled out the feeding tube but don't worry, the doctor is on the way to put it back in.

She must have called me on a Wednesday. I went to see my mom Friday and checked her feeding tube. It was gone. The only thing there was a large band-aid. I asked my mom if it hurt, she said yes - I asked did you pull your tube out, she said no. I brushed her teeth and cleaned her up. I stayed with her for 2 ½ hours - she still was not in isolation - and she still had a germ that was very contagious - a week or so went by and my mom got the feeding tube back.

On March 30, 1998, at 10:15 a.m., Marlene called me and she did not know she was on speaker, I answered yes, this is Leslie - she said Hi this is Marlene at Palm Terrace, your mom choked on food and she is getting oxygen by the paramedics - don't worry she's okay. I asked did she die, Marlene said no. My associate at work, Annette, was standing by listening with me.

We asked how could she choke when she is on a feeding tube. There was no logical explanation. I asked Marlene what was my mom doing with food when she has a feeding tube - Marlene said, just calm down Leslie - I'm sorry. I raced to Palm Terrace. When I got to Palm Terrace, they told me your mom's okay, they just took her to Kaiser in Riverside. Once arriving to Kaiser in Riverside, the doctor told me my mom had died at Palm Terrace and he requested an investigation with the Coroner's office. Two to three hours later, the doctor came in and said, Dr. Sign called the coroners office and dropped the autopsy. I asked why and the doctor said he didn't know and advised me to contact the Coroners office in Riverside.

While waiting for my family - I started to investigate my mother's body. I noticed deep scratches along her chest - where the tube was, and her chest was really inflamed. Her right thumb nail was ripped off - completely off and her right eye was gray. Apparently, she went blind in that eye. The feeding tube was up in the chest (towards the rib cage) the last time my family and I saw the tube it was in a different place much closer to the stomach.

On March 31<sup>st</sup>, my husband and I went to Palm Terrace. I asked to speak to the Administrator - Rhonda Codwell - I was told she was busy - and could not see anyone. I asked where her office was and found her anyway. Rhonda and I met and I told her who I was - I asked her how my mom died and how come she choked on food when she had a feeding tube - Rhonda could not answer me. Rhonda said to me, I am sorry about your mother - I asked her for my mom's records and asked her who changed her feeding tube - Rhonda said we did, our nursing staff and the helpers - "as you know, Leslie, your mom pulled the tube out." I told her when I came to see my mom, the feeding tube was completely gone. Rhonda said, you're right, but we put it back so what are you trying to get to. I replied, I thought she was supposed to be sent to a hospital to have that done. Rhonda said "no", we have a trained staff to handle any medical procedure. I then again asked for my mom's medical records - Rhonda said, its too late our office staff is leaving and you can come back in a few days, we will have them ready.

I said no, get them right now. I have all night and I will even help you copy them. Rhonda then had a staff person from her office come and bring the records. Rhonda looked through them and took three to four pages out. I asked for those pages, but she said they didn't pertain to my mom. Then I asked what is the name of the person who changed my mom's feeding tube - she said she didn't know - I asked who was there when my mom was dying. Rhonda said she was there and at 6:00 am., your mother was fine. She thanked us.

She said that, "about 7:15 am, I saw your mom and she looked fine. She said she was hungry and she wanted something to eat."

About 8:30 am., your mom looked happy, but she was cold and tired and she wanted to sleep. Then, Rhonda stopped - she said nothing - I asked where did my mom get the food - how could she choke on the food when she supposedly had a feeding tube. Why did you guys tell me, my mom was okay and was still alive? Rhonda asked why are you asking all of these questions - I said my family needs to hear the truth and I left.

On June 17, 1997, my mother was admitted to Extend Care Nursing Home. In the beginning, it seemed to be a nice place. My mother was welcomed.

However, starting "August 1997", I noticed my mother's personal items were missing I had purchased for her four bumper pads, 1 chest bib, 1 diaper net padding for the wheel chair, knee and elbow pads, a bed cart, 2 blankets, food bibs and cotton. Every item ended up missing. I questioned the staff, but they knew nothing. I requested that a dentist check my mother's teeth. At each and every visit we made, I always brushed and cleaned my mom's teeth - the dentist never came out to see her. Her teeth started looking bad during her stay at Extended Care.

In "September 1997", a nurse was in my mother's room reviewing her chart. My husband and I walked in and the nurse looked at me and left - she came in her room several times - then she said to me "do you remember me Leslie?" It seemed funny that she knew my name. I replied "no." The nurse told me, I am the nurse who took care of your mother while she was at Orangetree Convalescent. While, at that point, I forgot that I had caught this woman yelling at my mother while she was at Orangetree, (please see notes on Orangetree, Nursing Home #1)

Starting at the end of September, my mom began getting bruises on her legs, (the size of quarters). In October 1997, the bruises got bigger, up and down her legs and arms - I told the nurse in charge that I wanted to know where she got the bruises from - they told me from her bed. So I bought more bumper pads for the rails. I also made cushion hand restraints. The hand restraints were long enough to turn right or left while in bed - but not long enough to hit herself. They told me my mom was hitting herself, but we saw no evidence of this. I contacted the doctor, he told me the nurses were complaining that my mom was always yelling and screaming and she was getting out of bed and falling. I told her doctors "that was impossible. During my mother's stay at home with us she never did such a thing." I requested that my mom have different nurses. Towards the end of October to early November 1997, my mom developed bed sores. I requested a special mattress. I again asked that a dentist come to see my mom I never got a reply. In the middle of November, while I was visiting my mom, a nurse stopped me at the door. She said your mom fell and hit her head - but she is okay. We took her to RGH Riverside and had x-rays taken. I then went to see my mom - she had a long black bruise on her right side of her face.

The bruise was very black and extended from her temple, across her nose down to her lips and across her ear. She had a smashed lip on the left lower side - she had bruises on her back some 8 -10 inches in diameter. I called the ombudsmen to do an investigation. They told me that there was nothing to worry about - implied it was okay if my mother fell and again did nothing. In December 1997, both her eyes were so black and blue, it was just awful. I started getting phone calls at work from Extended Care. The nurse in charge told me that they no longer wanted to care for my mom and said to pick her up or they were going to do a 5150 on her. (5150 is restraints - injections to slow down the person more or less, tie up the person in a straight jacket which they did do and carry them off to mental health to be evaluated). I then called my mother's doctor and told him what the nurses told me. He said the nurses were not

authorized to do such a thing and he was going to take care of it. Later that day another nurse called me at home and stated that I better get my mom or else. I said or else what. She replied I am going to do a 5150. I told her that I spoke to the doctor and he told me that she could not do that. I asked why were they doing this - the nurse told me my mother was "lashing out" at them - jumping out of bed and falling, going outside and running from them. They said she tried to hide from them. She then said that the nurses all agreed to NOT CARE FOR HER any longer. After that, my mom's doctor called me and said I had less than two weeks to place her elsewhere. He also said my mom was not stable and she needed mental health - and that she probably did not have Huntington's. He said it was more a mental disorder and he then gave her more medication than she needed.

When I went to Extended Care, my mom was like a zombie. She could not talk, blink or move - she had bruises everywhere. They told me at the facility, that it was my mom's fault even though her bumper pads were again missing. They told me that they had sent her to ER to check to see if any concussions to her head had occurred. The following day, my brother Rico and his wife Valerie met me at the facility. I called the paramedics - my mom's eyes were so blackened. Anyhow, when the paramedics came out, I told them my thoughts and the lady who was the ambulance driver started to question the head nurse. She asked why wasn't this women brought into the emergency room earlier. They said she was there but when I asked for my mom's medical records to prove this, they would not give them to me. We then took my mom to Preview Hospital in Riverside and had her evaluated. My mom was dehydrated and then they gave her a CATSCAN - Preview released her back to Extended Care.

I called the social workers at Preview Hospital - they told me that since my mom was a resident of Extended Care she had to go back until Extended Care released her to another home. Meanwhile, I called the administrator at Extended Care asking him questions like:

1. Where did my mom get those black eyes. Reply: I don't know.
2. My mom's eyes were so swollen she has blood dripping from the corners. Reply: She must of fell from the bed.
3. How did my mom fall from the bed when she has bed rails? Reply: She must have jumped over them.
4. How could she jump? She has no balance. Reply: I don't know.
5. My mom has very large bruises on the inside of her upper legs - close to her vagina, what happened? Reply: While jumping over the rails, she must of got stuck horse style.
6. My mom's eyelids are so swollen and thick filled with blood, how could she have fallen so hard to hit both eyes? Reply: She had to hit the corner of a table.
7. Where did my mom's special equipment go, the bed pads, bibs, diapers, etc? Reply: I'll check with the staff.
8. If my mom really fell from the bed, why didn't you make a medical report? Why was she not sent to ER each time? Reply: We did call you, but you were not home!
9. Well that is funny, I have voicemail at home and on my pager. There were no messages at all. Who left or called, let's ask them? Reply: well, I have to check into that.
10. How can one single person fall from bed so many time? How could she even hide from your staff?

Nothing was in full detail or even explained to me what really was going on. Reply: Mrs. Oliva, I think I was nice enough to answer your questions. I need to leave now, goodbye.

My mom went back to Extended Care -- this was just before Christmas -- the same day, she got there, a nurse called me and left a message with my daughter. The nurse told (Marie) my daughter, tell your mom she has 12 hours to take her mom out or we will do a 5150 on her. My daughter got upset and paged me. I contacted Extended Care and the nurse told me your mom fell real hard. I told her to have my mom's doctor call me. I then called the ombudsmen and the State Licensing.

On Christmas Eve we took her gifts and food to eat. She was just sitting there looking helpless. I told my mom to get up, but there was no reply. I just so happened to have my camcorder running. My husband was recording, my mom's bruises looked like they were gone, but my mom would not sit up - she acted lifeless.

We got to Extended Care at 6:20 p.m. I kept on encouraging her to get up. We even took my mom for a drive to see the Christmas lights. We took her to eat and went to a Church. We then took her back to the nursing home. We left at 3:45 a.m. Christmas day. I came back with our grandchildren and some pictures. My mom looked like a zombie. I asked what they gave her, and the nurse said medication. I knew it must have been real strong because my mom could not move, she just stared straight ahead without blinking for one hour. I called her doctor and he said it was normal. I kept questioning the nurses, but got no reply. Just after Christmas about December 28th/29th, I dropped in to see my mom. She could not see through her eyes. There was blood dripping from her right corner eye. There was big bruise across her forehead, a large bruise on top of her head, on her chin and lip were bruised and the inside of her lip was all cut up.

Both her lower and bottom teeth were loose. Her shoulders were bruised from front to back. Her hips in front and back and inside thighs close to her vagina were very blackened, knees, feet and legs were bruised, and her toenails were torn down, tip of toes were cut up real badly - it just goes on - her eyelids were so swollen that they stuck out 1 ½ inches. All they said was to have her moved. Anyone could see that these injuries could not have come from a fall or have been caused by my mom herself. The nurse told me again she was going to do a 5150. I left and called several lawyers. I called the State Nursing. Once I left Extended Care, the nurses called my home saying "get your grandmother out of here or else she will keep falling."

Dr. Summerwin at Extended Care also left me a voicemail. He said your mother needs to be evaluated. She is severely depressed, she needs to go to mental health to be treated.

Meanwhile, I contacted a mental office in Riverside. I spoke to a social worker there before I could say anything, she said "Leslie, why is Dr. Summerwin sending your mother here." I told her I don't want her admitted because she has Huntington's, not mental disorders. The social worker said, your right, your mother does not belong here or a nursing home. The second social worker said the doctor faxed over my conservatorship papers without my knowledge. I told the social worker not to do anything, just hold off. I am going back to Extended Care. Also, I am calling a lawyer - when I got to Extended Care, they took out my mom's bed. She was on the floor on a mattress.

I picked my mom up and put her in a wheel chair. The administrator had one of his nurses go with me and my husband to mental health. We met with Lynn Slaughter (909) 358-4647 and Dr. Drew did an evaluation and sent my mom to RGH - Riverside County Hospital. Dr. Drew also requested that State Licensing Nurses investigate Extended Care. My mom was hospitalized from January 5, 1998 to January 15, 1998. We have not been advised of the investigation.

I think Congress and the President need to work on safer nursing homes for our parents. We, the people for the State of California, are not safe as we get older. Our lives depend on care givers, doctors and nursing facilities. Our lives and the lives of our parents are precious. I am asking you, Congress and the President to stop and see the ugly abuse that our parents are getting. Those nursing facilities are stealing our hard working money and not providing the right care giving to our families. I think our parents should have the same equal rights. Our parents should be treated the same as we treat child abuse.

Sincerely,

Leslie Oliva